

TWENTY SIXTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia, Friday, June 7, 2013

The Senate was called to order at 4:00 p.m. by President Owen. No roll was taken.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

May 31, 2013

SB 5941 Prime Sponsor, Senator Baumgartner: Decreasing resident undergraduate tuition rates by three percent for the 2013-2015 fiscal biennium and limiting future growth of resident undergraduate tuition rates to inflation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Becker; Braun; Dammeier; Hewitt; Padden; Parlette; Rivers and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Conway; Hargrove, Ranking Member; Hatfield; Keiser; Nelson, Assistant Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Passed to Committee on Rules for second reading.

May 31, 2013

SB 5942 Prime Sponsor, Senator Baumgartner: Providing for a performance and enrollment-based methodology of distributing state appropriations to public institutions of higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Braun; Dammeier; Hewitt; Padden; Parlette; Rivers; Schoesler and Tom.

MINORITY recommendation: Do not pass. Signed by Senators Conway; Fraser; Hargrove, Ranking Member; Hatfield; Keiser; Nelson, Assistant Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker and Hasegawa.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES

GUBERNATORIAL APPOINTMENTS

June 7, 2013

SGA 9123 DAVID JENNINGS, appointed on June 18, 2009, for the term ending December 31, 2014, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hewitt; Parlette; Rolfes, Ranking Member.

Passed to Committee on Rules for second reading.

June 7, 2013

SGA 9232 JAY T KEHNE, appointed on April 16, 2013, for the term ending December 31, 2018, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Hewitt; Parlette; Rolfes, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Smith, Vice Chair.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

May 23, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHARLES ADAMS, appointed April 24, 2013, for the term ending December 26, 2016, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation.

May 29, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFFREY CHARBONNEAU, appointed May 7, 2013, for the term ending June 30, 2016, as Member of the Washington State Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

May 23, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

FREDERICK GOLDBERG, appointed March 20, 2013, for the term ending September 30, 2014, as Member, Board of Trustees, The Evergreen State College.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

May 29, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHAUNTA HYDE, appointed April 24, 2013, for the term ending April 3, 2017, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

May 24, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRIS LIU, appointed June 1, 2013, for the term ending at the governor's pleasure, as a Director of the Department of Enterprise Services.

JAY INSLEE O. GREGOIRE, Governor

Referred to Committee on Governmental Operations.

June 4, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EDMUND MARMOL, appointed April 24, 2013, for the term ending December 26, 2016, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation.

May 29, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RONALD K. SPERLING, reappointed May 15, 2013, for the term ending February 11, 2017, as Member of the Health Care Facilities Authority.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

May 23, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

REKAH T. STRONG, appointed October 1, 2012, for the term ending September 30, 2017, as Member, Board of Trustees, Community College District No. 14 (Clark College).

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

MOTION

On motion of Senator Fain, all appointees listed on the gubernatorial appointments report were referred to the committees as designated.

MOTION

On motion of Senator Fain, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

June 6, 2013

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947,

SUBSTITUTE HOUSE BILL NO. 1961,

HOUSE BILL NO. 2042,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

June 6, 2013

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

June 6, 2013

MR. PRESIDENT:

TWENTY SIXTH DAY, JUNE 7, 2013

2013 1ST SPECIAL SESSION

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

June 6, 2013

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1057,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2034,
ENGROSSED HOUSE BILL NO. 2036,
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

June 6, 2013

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 2068,
SUBSTITUTE HOUSE BILL NO. 2069,
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5945 by Senators Litzow and Tom

AN ACT Relating to principal empowerment; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 41.59 RCW; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

MOTION

On motion of Senator Fain, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

PERSONAL PRIVILEGE

Senator Padden: “Thank you Mr. President, Ladies and Gentleman of the Senate, we are here with only a few days left in the special session. I just want to encourage a, strongly, an improvement in the communications between both sides. I think that’s fallen very flat, the last few days so that members who were told one thing, whether we would be having action on the floor, then only to have it change in the last minute, which maybe fine if you’re living here in the Twenty-Second or even close by but if you’re planning, for my district for example, to go home and back it’s about a six hour trip. So, twice in the last few days I had made plans to head home only to have that stopped and actually I had to turn around yesterday and come back because what I consider

some parliamentary games that were played by the other side of the aisle. I think we’ve done pretty well this session overall and...”

POINT OF ORDER

Senator Murray: “He is impugning members when he refers to parliamentary games.”

REPLY BY THE PRESIDENT

President Owen: “That’s not impugning the members, the motives of the members, on any matters that the President knows of Senator Padden.”

PERSONAL PRIVILEGE

Senator Padden: “Thank you Mr. President. In any event, we were told you know a certain time and then that got changed and delayed and we are here today primarily what appears to be a Pro Forma session. I’m just saying that there had been, I thought, good communications between both sides up until the last few days. I’d encouraged that we revert back to those policies and I think it would make it a lot easier for all of the members. Thank you very much Mr. President.”

PERSONAL PRIVILEGE

Senator Murray: “Thank you Mr. President. Fascinating, we are the minority party. We do not control the floor. We do not determine when we come and when we do not come. Actually it has been our members who’ve been kept in the dark about when we’re going to come, when Pro Forma or when session will happen. The one thing that we’re interested in, the one reason we want to use parliamentary process is if this is late in the first special session and we have done nothing on this floor. It is time to act before we do serious damage to the people of this state and if it requires that we have to be here day after day, well, I think that’s what a special session is about. We should be here day after day to get the people’s business done before we do serious harm to this state, to the state’s economy and to the services of the people of this state that depend upon. No parliamentary games. We’re the minority. We are often into the dark about when we’re supposed to be here.”

PERSONAL PRIVILEGE

Senator Keiser: “Thank you Mr. President. Well, I was on a conference call yesterday. It was really an enlightening call with legislators from all the other states discussing what the states have been doing because their legislatures have adjourned and what they’ve been doing to implement health reform and I have to say I was chagrined to have to report that we’ve done nothing in terms of this year. We are in the twenty-sixth day of the special session after one hundred five days of the regular session and House Bill No. 1947 which was passed by the House, by the other body on March 11 remains undone. Our state health market place our health exchange opens for business October 1 and we have not done our business and our job and I was chagrined to report that to legislators from Minnesota, from Colorado, from so many other states where they’ve done their job.”

PERSONAL PRIVILEGE

Senator Nelson: “Mr. President, today is the twenty sixth day of the special session and yesterday Senator Tom said, ‘We

have said all along we need to put our kids first.’ We have legislation that is come out of Ways & Means to correct a Supreme Court decision the Bracken decision. We have one hundred sixty million at risk that will fund education for our children if we do not take action by this coming Tuesday. Seventy checks averaging twenty million each will be mailed back to some of the wealthiest estates in the state. We need to put our kids first. We need to pass a correction to the Supreme Court decision because it is not only that one hundred sixty million, it’s a hundred million in the next biennium that we put at risk for our children’s education and then another one hundred thirty million we put at risk if we want to educate our kids. We have to correct the estate tax.”

PERSONAL PRIVILEGE

Senator Rolfes: “Thank you Mr. President. I personally was extremely excited to get the message late last night that we were going to be here at 4:00 today voting on something on the Senate floor since we haven’t done that for the entire session, special session. I have spent most of this week speaking with constituent groups who are concerned about funding that they don’t know if they are going to get and wanting to know what the next steps would be if we don’t finish our work by the end of this special session. Wednesday afternoon I had the great opportunity and privilege to talk to at least fifteen kids in the North Kitsap High School Band because that school district has sent out their RIF notices and is planning to cut a lot of its music and arts programs because they don’t know what their budgets going to be and their band director quit right before I got there because she has been teaching for years and is moving on to other opportunities because this legislature can’t tell that school district what its budget will be for next year. What have we been doing for twenty six days? These are real people’s lives. These are the kids that we report to be putting first and they need the budgets for the schools. They need to have them soon. People need to know if they’re losing their jobs or not and we need to get on with hiring new educational professionals too. So, let’s get the job done. Let’s stay here until we have some things to vote on.”

PERSONAL PRIVILEGE

Senator Ericksen: “Well thank you Mr. President. Each one of us that comes to the senate has their own burdens and their own issues to deal with. So, my wife is a public school teacher and I have a daughter age twelve and age ten and every day my wife is a single mother now since we’re down here in special session. Gets up takes the first daughter to school, comes back to the house, gets the other daughter, takes her to school then goes into work at Whatcom High School. Right after school’s done she goes and picks up the girls at school, gets them to soccer, gets them to 4H and all the different the events they go to. It’s tough. My oldest daughter turns thirteen in June. I was supposed to finish the barn for her thirteenth birthday party so she could have all her friends over to have her birthday. So my wife and my daughter told me stay here get the job done. Fight for the people of your district. Stand up for why they sent you to Olympia and do the right thing. They understand how important it is that we do the right thing down here that we fight for the people who elected us to be here. We can get our job done. We can do it right and we can stand for those people that sent us to come down here to Olympia.”

PERSONAL PRIVILEGE

Senator Darneille: “Well, we are here on the twenty sixth day and I’ll tell you a little about my personality. Either you’re a process person or you’re a person who wants to pick up the shovel and dig the ditch. I appreciate all the process people we have who are deliberating day after day, but I’m Mr. President, a person who if you point out the job, I want to pick up the shovel. I want to get it done and no more than today, the twenty sixth day. I want to basically reply to some issues that have been raised in the press about bureaucracy staying the same in our budget and in the House budget that is proposed to us and I want to say that in my community which relies on contracts from the state not only to perform bureaucratic activities but to keep our ecological programs going, to keep our economic development programs going, to keep our courts going, to keep our health systems going. I’m here on the twenty sixth day wanting to pick up the shovel because I’m not here about privilege. I’m here about helping people who are poor in my community. When we look today and we say it’s ok to put these contracts at risk, to put these people at risk. We’re talking about veterans, we’re talking about children. We’re talking about women who are relying on working families connection child care so they can keep their job. Mr. President, we cannot in good conscience fail to come here every day at 9:00 a.m. ready to do business. I’m ready to be here I don’t think any one of us should go home and I think that it’s about time that we got out our shovels, say thank you to the people who do the process and get the job done.”

PERSONAL PRIVILEGE

Senator Kohl-Welles: “Thank you Mr. President. Well, the legal end of this special session is next Tuesday, June 11 and that marks twenty days before July 1 when we have got to have a budget in place. Why does this make a difference? And why have not we’ve been able to vote on anything, not one bill for twenty six days. The community that perhaps this means the most to and it is very, very urgent for is with regard to higher education. We have high school graduations taking place all over the state and all over our districts this month. Some have already happened and how many high school graduates are there who are still waiting to get that admissions letter to know which college or university they’re going to attend? How many know what the financial aid is that will be offered to them, if it is? We are putting our institutions of higher education in a huge bind right now and I say this after hearing that from President Elson Floyd from Spokane two weeks ago. This is very urgent. We have hiring decisions that institutions need to make. They have to know what the tuition will be for the students that are coming in and for their other students. These are decisions that are major for higher education and we’ve got families, let alone students, all over the state in our districts who need to know what is going on and we’ve got our institutions on hold, on hold. They can’t make the decisions they need to make, fully, formally and finally until they have an operating budget in place.”

PERSONAL PRIVILEGE

Senator Benton: “Let me ask some clarification from you Mr. President. A lot of the comments we’ve heard here this afternoon here are not accurately or truly Points of Personal Privileges as I think I’ve seen you rule before but I haven’t asked for a Point of Order on that but I do want to speak a little bit to or in response to my colleagues concerns because I have some of the same concerns but first I want to thank a few of my colleagues. I want to thank Senator Hargrove and I want to thank Senator Braun and I want to thank Senator Hill who have been here every day, or nearly every day and weekends, while most of us gone

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2013 1ST SPECIAL SESSION

REMARKS BY THE PRESIDENT

back to our districts and worked and of course Senator Nelson has been right in the middle of that too. I'm sorry Sharon, I want to thank you too. Well, when we talk, all these speeches you'd think nobodies been working. The fact of the matter is this body, my colleagues for twenty years came together and passed a budget with thirty votes. It was a bipartisan budget. It was our budget, the Senate's budget and we did a good job. Not everybody was happy. I can assure you not on this side of the aisle, certainly not on the minority side but it was a budget that we, the Senate, passed and for the first time in history in the State of Washington we put a billion dollars in K-12 education. It is one of my proudest moments to participate in injecting a billion dollars into our education system. That has never been done before. I'm so proud of my colleagues for that and what's even better is we did it without any tax increases. None, didn't raise tax one to do it. We proved it could be done. A bipartisan budget with thirty votes that puts a billion dollars into education without raising taxes. Pinch me. I'm dreaming. Come on guys. When did that ever happen in this body, or in this place in the twenty years I've been here? So, we've got a lot to be thankful for. We've worked together. Yes, we didn't all get what we wanted but we stuck to our guns as a Senate and we said in this economy, this tough economy where people are suffering and I'm telling you what I got a neighbor that has been out of work for over a year and a half. This is not the time to raise taxes but we recognize that children should come first so the Senate put out a budget that put kids first. First, the first dollar spent are on our children and we've been wanting to go home with that budget but we have been unable to. We've been shackled by, of course it's a bipartisan legislature. If we were in Nebraska I guess we could just adjourn and go home. It's a unicameral legislature as you know. There's one body there, the Senate. But here in Washington state there's another body we have to work with and that's across the rotunda. We don't have unilateral authority in the State of Washington like they do in Nebraska so we have been waiting and negotiating and the four people I've just mentioned have been negotiating every single day and the rest of us on conference calls. I'm sure you guys have been conference calling in every few days to catch up on what's going on and guess what? Stone wall. Stone wall. Absolutely a stone wall for more taxes, even when they're not necessary. That's what so frustrating about this. So, I have a lot of compassion for your frustration because I'm frustrated too. We've been kept here for more taxes and we don't even have to have them.

That's what's frustrating about it. So, you bet, we're here to do business. You bet we're ready to adjourn on the last day of this session and I hope that we'll be able to adjourn with the Senate's budget intact that puts up a billion dollars into education without raising taxes. That's what this chamber said we wanted to do. That's what the citizens of this state said they wanted us to do when they passed 1185 over whelming in forty-four out of forty-nine legislative districts and that's what we've done. And we should stick to our guns and hold out for our citizens and hold out for the senate budget. I hope all of you are prepared to do that because I certainly prepared to do that and if we have to go into another session to do it, I'm sorry for the people of the State of Washington that they'll have to pay for that. I don't want to do it. None of you want to do it but if that's what it takes to carry the message of our citizens that we want more money for our kids' education and we don't want to pay more taxes for it. We want you to reform other parts of government and take care of the education obligation first before anything else and that's what we're going to stick to our guns and do. Thank you Mr. President."

President Owen: "Senator Benton, in response to your question about a Point of Personal Privilege. The rules states that a question of Privilege shall involve only subject matter which affects the particular Senator personally, in a matter unique and peculiar to the Senator. The President has always allowed discretion in the Point of Personal Privilege to allow people to share on feelings they have about particular issues of which you have done quite in a long drawn out matter, just recently. However, after listening to your dissertation the President might need to put some parameters around that discretion. And speaking of that, Senator Hargrove."

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you Mr. President. First of all thank you for the thanks, me and Senator Nelson and Senator Hill and Braun and I think a few others have been here almost every single day. I'm getting very tired of being here every single day but I just wanted to make a couple of points here to just kind of clarify how the budget left the senate because I did both of that budget. Be had seven members on this side vote for that budget and I think there were multiple reasons why people voted for it over here. Most of it was to move a budget along because we didn't want to get a spot where we were dragging into a long extra session. We wanted to get a vehicle out of the senate that could be negotiated with the House. I think we stated at the time that is was a very bipartisan process building that budget. You're in the majority and we were requesting and it was a bipartisan process. However, we also stated at the time there were some critical holes in that budget and that there would be some additional revenue to fill those critical holes. There just wasn't any more in the bucket to go find and those holes that we stated and I was very clear about then. I was very clear when we had a press conference here a few days ago in the House budget were the A. B. D. HEN Program and working Connections Childcare. And as I stated the press conference a couple days ago, this isn't just about people who make bad choices and somehow need a largess from the state but it's about people if we don't help there with those particular programs they're going to end up in much more expensive programs that the state tax payers pay for with tragic consequences along the way. That would be things like ending up in the emergency room because a mentally ill person doesn't have you know the where with all to keep themselves out of trouble and they get injured and they end up in emergency room. Some people end up in our criminal justice system. Those are other things that are funded by the state in case load that we all fund because we're not going to just start letting out people out of prison even after they committed a crime. We're not going to say, 'Oops.' You know we'll just cut those and start opening the doors. You know, I'm thinking that some of these programs add up to prevention and those are some things that we very clearly said that I'm not, you know, I'm not, I guess what I'm saying is that there was a lot of work on that senate budget together but we recognized there were a few holes in it and a few more things that needed to be worked on. We had that discussion long and hard, you know I think that the House made huge offer, they made, I'm sorry, I shouldn't say 'House,' the other body, the other world, I called it the other planet the other day but they made a big move. Now, we're not done. There's more to be done and we're working on it but the point is we're within four to five days of the end regular session here and Bracken will vaporize as of Tuesday and then there will be one hundred sixty million more problems if we can't get that done. So, that's the email that I got from the

Department of Revenue that we have until the end of special session. Well, in some point in time it happens, ok? So, anyway, my point is that we need to get on with our business, that the votes on this side were about moving a budget along to be timely. We recognized some problems. I think I have been very up front about that. There's been no, you know, there's been no bait and switch here on that. We still think there's some problems, I think that that budget from the other planet actually fixes some of those, has a moderate amount of revenue in it and hopefully we can get our business done. But I just wanted to correct a few things there and I look forward to continuing to work with people."

PERSONAL PRIVILEGE

Senator Ranker: "Thank you Mr. President. So, did, I'm very pleased to hear comments on both sides of the aisle that we're willing to work and we're willing to be here. Last night there was a debate on this floor that almost no one saw. There was a debate where some members of the other party wanted to adjourn until Saturday, not today and I had to sit at my desk and object to that. We had a long period of time where we sat here and stared at each other until we realized that yes, one person can actually have the objection, to overrule that, and we could not adjourn for two days. Why did I do that and why did our leadership decide that was important? Because we believe we need to be here every single day to get our work done. Just as the good Senator said earlier, every single day to getting our work done, adjourning until 4:00 pm today again, dismissing most of an entire day, doesn't get our work done. There are critical decisions that need to be made and they need to be made quickly. We've heard about the impacts to health care. We've heard Bracken time and time again, Parks, the good Senator from the Thirty-ninth, on July 1, on July 1 we will close parks. 6.1 billion dollars in annual spending money directly supporting tens of thousands of jobs and most of those jobs are in rural areas that are experiencing higher unemployment. At a time when Europe is still in serious financial crisis and dragging the rest of the world down we are going to take actions that could seriously impact our bond ratings right here in Washington State. That is unrealistic and unacceptable for us to consider those sorts of drastic measures at a time where there is world crisis economically. I personally, Mr. President, am very concerned about this. I don't believe we should be fooling around and take vacations for a day. What I do believe is we should get our work done. We should pass a bipartisan budget and I think a proposal from the House, from the other chamber that does that. Let's move along and let's get our work done. Let's be here Saturday. Let's be here Sunday. Let's be Monday. Let's be here Tuesday and let's get it done."

PARLIAMENTARY INQUIRY

Senator Baumgartner: "Just to clarify before I begin. Was the terminology used, was it peculiar and personal? Was that what it was?"

REPLY BY THE PRESIDENT

President Owen: "Depends on who we're talking about. Question or privilege shall involve only subject matter which affects the particular Senator personally and the matter unique and peculiar to that Senator."

PERSONAL PRIVILEGE

Senator Baumgartner: "So, I just want to tell a little story how I relate the budget. So, I remember when I was a kid, this on a personally, I remember when I was a kid, I used to watch professional wrestling and one of the things that I liked about watching professional wrestling is the guys get in the ring and really duke it all out. My dad came into me and he was watching me watch professional wrestling and he told me he too when he was a kid like watching professional wrestling. Then he told me a story. My dad grew up on the outskirts of Detroit, the outskirts of Pontiac. His dad worked for General Motors and my grandmother was a school teacher. He said the one time he went to professional wrestling match and it was in a high school gym and the two guys he saw duking it out in the ring were. Then, later on, he had to go use the bathroom in the gym, a shower room, and the two guys that had been just duking it out in the ring were in back having a beer and a smoke and talking to each other and so, the point is, you know, I know there is a strong incentive to come here and sort of parade before the press about making these points of who cares more about the state government. Who's going to work harder on this thing but it really a bit of analogous right now to sort of professional wrestling and that show that goes on. Because everybody here knows that we all care about this state and we all know that everybody in this room is committed in trying to get a budget down. We're all trying to find a compromise of our position but not a compromise of our principles. It's a bit disingenuous I think to sit here and talk about and pretend that we're not working. It's sort of a show for the press because it does something that is very dangerous for the state for this country because it continue to erode the trust in government. Now, I'm a limited government guy that has some concerns about the growth in government but please as we go forward in the next week I'm going ask my colleagues, please don't demonize this legislature and pretend people aren't here committed to work hard because we all are. We also know how this all ends. It all is going to end with a bipartisan compromise deal. That's the only way it ends. We have to find a way that it might compromise our positions but not our principals and with respect to the good Senator Hargrove, I'm not sure the other side understands what a huge reach it was for the conservative members of our caucus to vote for Obama care in that first budget. That is a big, big deal. All the conservative members of our caucus voted to expand Medicaid but also voted for increase revenue and shifting cost to the federal government. I would, that was a very, very tough vote for me. Now I know very tough for you guys to cut some of this social spending but please don't demonize this place. Let's both respect the compromise that both people have already given. Let's not erode the trust in government any further because that's going out on the national level more than we need and I understand the professional wrestling aspects of this but I'll look forward being in the back room, the locker room having a beer, not a smoke in my case, to try to bring this together to bring this thing to a close and I believe, God's truth honest believe I believe we can do this by Tuesday. Thank you Mr. President. Hopefully unique and personal enough."

PERSONAL PRIVILEGE

Senator Murray: "Thank you Mr. President. Well, I'm wondering if I should make a comment on wrestling and locker rooms but I will let it pass. I watched it to but anyway. On a more serious note, I do believe that the members of this caucus respect all the members and their efforts but I do believe that you are in the majority which means you have to govern and I wrote, along with Joe Zarelli, a bipartisan budget. Didn't particularly like lots of it. My constituents particularly like lots of it. The same was true with Senator Zarelli because we shared stories. What they

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did like Mr. President was that Olympia was functioning. The other part of that functioning, the other responsibility of the governing party is you can't say we wrote a budget, we want our budget. The system of government requires that we compromise with the other body. We don't have a choice. That's our constitutional responsibility to compromise with the other body. It can't be the senate's way or no way and that's what really concerns this caucus that we're coming up against a date, going to a place that's, very, very, very few states have ever gone. The numbers that you heard or the dates heard, the notices that are going out and will be going out. That's a reality in the lives of Washingtonians. So, I would hope before the 11th that we can once again show that we can govern, that we can once again show the citizens of this State that we compromise not just with ourselves but with the other body. Finally, members of this caucus voted for a budget that went out of here, five of them in particular, not because they agreed with the budget, they wanted to show good faith. They wanted to show good faith. They wanted to show good faith with the majority party that we would be willing to work with you, move a budget out of here. We thought in return that we would see the governing party willing to work with the House and compromise as well. That's governing. You're the majority party. Constitution requires, the system of government, requires that this tension between the balance of powers requires that we compromise with the House and I hope again we will do that by the 11th Mr. President and show that we are not the other DC, the other Washington. Thank you."

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you Mr. President. At the cut-off for bills from the body of origin, this body passed the largest number of bills in recent years. That was working together. Did it work out that way that we passed the most bills in recent history to the Governor but that's ok but this body also passed well over two dozen reforms. Reforms to create and retain jobs, improve our education system and work towards sustainable budgets. Every one of those bills was bipartisan. Some even were unanimous. The number that came back from the other body? – Zero, Zero. Now, if we're going to negotiate in good faith; over two dozen bipartisan to zero is not much of a compromise, not

when it's issues with our schools, sustainable budgets, more jobs and job retention. That's part of the bodies job to look for those solutions as well and to simply have a take it or leave it budget that doesn't change one thing about jobs, education or budgets in this state would be a great loss not for this body, not for you and me but for the taxpayers of the State of Washington."

MOTION

At 4:38 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:54 p.m. by President Owen.

PERSONAL PRIVILEGE

Senator Fain: "Senator Frockt is a swell guy."

REMARKS BY THE PRESIDENT

President Owen: "That is personal and peculiar."

MOTION

At 5:55 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 a.m. Saturday, June 8, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

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